

Intersessional Meeting on the Convention on Cluster Munitions *Detailed draft provisional programme*

Monday 16 April 2012

10:00-13:00

Opening of the meeting

The Representative of the President of the Second Meeting of States Parties (2MSP) will make opening remarks outlining expectations for the meeting and a short review of the work since the 2nd MSP.

It is the Presidency's hope that the intersessional week will be influenced and recognised by informality and collaboration as captured in **Action #1** of the Vientiane Action Plan emphasizing the need to continue to further develop the strong partnerships that underpins this Convention.

The President will first present the provisional programme for the Intersessional Meeting of the Convention on Cluster Munitions and then invite the Working Group Coordinators to chair sessions under their respective coordination.

As this is an informal intersessional meeting, statements of general nature are not anticipated. Rather, the Presidency encourages statements focused towards the thematic areas of the respective working groups in addition to other sessions taking place throughout the week.

Thematic areas as they relate to the status of implementation will be covered under sessions dedicated to Universalization, Victim Assistance, Clearance and Risk Reduction Education, International Cooperation and Assistance, Stockpile Destruction and Retention, Transparency Reporting and National Implementation Measures.

The President invites The Holy See and Zambia to chair the next session.



General status and operation of the Convention (chaired by The Holy See and Zambia)

Presentation on consultations

The chair will invite the President Representative to provide a **presentation on the status and outcome of consultations to date with regards to the mandate given to the President at the 2MSP**, namely to “negotiate, in consultation with the States parties, an agreement with the Geneva International Centre for Humanitarian Demining on the hosting of an Implementation Support Unit as well as a funding model”.

Since the 2MSP, seven Coordination Committee meetings have been held in addition to one open briefing as well as one open-ended consultation seeking the views of states on the work to date.

Among background documents delegates will have found the latest version of the Presidents' working paper aimed at distilling the optimal scope, mandate, organisational setup of and financial platform for a future Implementation Support Unit for the Convention hosted by the GICHD.

The President Representative will present the criteria for the establishment of the Implementation Support Unit, principles for a suggested hybrid financial model and elements for a host agreement between States Parties and the GICHD. She will provide an update on the outcomes of the broad consultations conducted thus far and present

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the draft elements for decision at the 3MSP that have been formulated for open-ended consultations throughout the week.

Other possible elements for draft decisions may be presented by the President-designate.

A presentation will also be made on the draft outline of the Oslo Progress Report. During this session, States Parties as well as other delegations have the opportunity to make general comments on the draft outline of the Oslo Progress Report.

Universalization (chaired by Japan and Portugal)

At the outset, the Coordinators will make a brief presentation containing the update of the situation of States Parties after 2MSP, and will outline the activities being undertaken by the “universalization team” composed of the co-Coordinators and partner states engaged on regional level. They will also present the future strategies of the team to further encourage universalization of the CCM.

During this session States Parties, States not party, international organisations and civil society are invited to make statements with regards to universalization.

States Parties with obligations to promote the universalization of the Convention are encouraged to provide an update on their plans, priorities and progress on their efforts to implement the Vientiane Action Plan through:

Action #2 on seizing opportunities to **promote adherence to the Convention**,

Action #3 encouraging and supporting States not Party to ratify or accede to the Convention before the Third Meeting of States Parties,

Action #4 and 5 in cooperating with others States Parties, and other relevant partners **to promote the universalization** of the Convention, including help to States not Party to **find solutions to facilitate adherence**, and

Action #6 and 7 in discouraging, in every way possible all use, development, production, stockpiling and transfer of cluster munitions including supporting efforts of States not Party that share the humanitarian concerns caused by cluster munitions to participate in the formal and informal meetings of the Convention.

Other delegations are encouraged to provide an update on the activities they have undertaken to promote universal adherence to the Convention, for instance bilateral meetings, workshops, letters, advocacy missions, diplomatic notes, etc. This could include making observations on specific challenges and obstacles faced by States not party to the Convention, based on the experiences gained through the outreach activities, and identifying possible concrete solutions to remove such challenges and obstacles.

Signatory States are invited to provide an update on their domestic process to ratify and deposit their instrument of ratification with the UN Secretary General.

This is also the **opportunity for non-signatory States to voice their support for the Convention** and to set out their current status vis-à-vis the Convention, for instance currently studying the Convention, have an intention to join in the future, etc.

The Coordinators on Universalization will then wrap up the session by looking forward to what can be done to further promote Universalization goals in the lead up to the 3MSP.



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15:00-18:00

 **Victim assistance** (chaired by Austria and Bosnia & Herzegovina)

This session will focus on the implementation of the obligations that States Parties have under the Article 5 of the Convention and measures undertaken in order to fulfil them in the area of victim assistance.

To recall, affected States Parties have obligations concerning assistance to victims, including medical care, rehabilitation and psychological support, obligation to provide for their social and economic inclusion, as well as reliable and relevant data collection. Each State Party in a position to do so has obligations with a view to providing assistance to the affected States Parties for the implementation of the obligations concerning victim assistance.

The session will be structured along the following three lines:

- a) Stocktaking of the progress of States Parties' in national implementation of the victim assistance related provisions of the Convention and the Action Plan (**Action #20-32**) including the **time bound obligations** captured in Action #20, #21, #22, #23, #25 and #26. States are also encouraged to **highlight in their reporting the challenges and needs they experience with translating victim assistance provisions into measures on the ground**.
- b) A thematic exchange of views and **practices regarding the collaboration of governments and civil society organizations/NGOs in providing victim assistance on the ground**, focused on concrete examples and areas of collaboration, added value and challenges involved. Delegations are invited to share their own national and local experiences and their views on the potential of government–NGO collaboration. Examples of such coordination will be provided from an affected country(ies);
- c) A guided, open debate on the question of how States, in accordance with **Action #23** of the Vientiane Action Plan, **integrate the implementation of victim assistance provisions of the CCM in existing coordination mechanisms**, such as those created under the Convention on the Rights of Persons with Disabilities (CRPD) and other relevant international legal instruments, and how they ensure coordination and streamlining of victim assistance measures. Expert input will be provided.

All delegates are encouraged to actively contribute to the debate under all respective points.



Tuesday 17 April 2012

10:00-13:00

 **Clearance and risk reduction** (chaired by Lao PDR and Ireland)

The aim of this session is **to visualize that clearance of cluster munition remnants (CMR) can be accomplished and can be accomplished quite fast**. In this context the scope of the clearance challenge is that relatively few CCM States Parties are contaminated with CMR. However, some of the affected states are severely contaminated and require special attention. As joint Coordinators on Clearance and Risk Reduction, Lao PDR and Ireland will build on the elements of Vientiane Action Plan, decisions taken at the 2MSP and the Paper produced by Australia in 2011 as Friend of the Chair on clearance of cluster munition remnants. Presentations will be delivered by a number of organisations based on experience gained through clearance operations in the field:

- Update on recent developments, Mr. **Bounpone Sayasenh**, Director of UXO Lao
- Increased efficiency in survey and clearance operations, Ms. **Åsa Gilbert**, GICHD
- Clearance of cluster munition remnants, Mr. **Tim Lardner**, UNDP Technical Adviser to UXO Lao, Lao PDR

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- Clearance of cluster munition remnants in Western Sahara, **presenter TBC**, UNMAS
- Importance of survey in the clearance of cluster munition remnants in Lao PDR and Lebanon, **presenter TBC**, CMC
- Standard procedures for clearance of cluster munition remnants in region of former Yugoslavia, **presenter TBC**, ITF

States Parties as well as States not parties are invited to consider addressing specifically the following themes during their interventions:

Action #12 on progress made on identification of areas of contamination;

Action #13 on national plans for clearance of these areas;

Action #15 on methodologies used to clear; and to present on **obstacles encountered and lessons learned** in the conduct of clearance operations

The second part of the session will concentrate on **an exchange of information and views regarding additional aspects for consideration**. States Parties as well as States not parties are invited to consider addressing specifically the following themes:

- the **framework for hazardous area reduction and release** of contaminated land,
- the **viability of establishing a CCM database** on clearance related matters,
- how to **best facilitate international cooperation and assistance** on clearance issues,
- any possible **matters relating to clearance that may require decisions** at the 3MSP.



Tuesday 17 April 2012

15:00-18:00

 **Cooperation and assistance (chaired by Spain and Mexico)**

States Parties with obligations to destroy stockpiles, clear affected areas and assist victims **and signatory States** that have stockpiles, areas contaminated by cluster munition remnants and cluster munitions victims that would require actions in accordance with Articles 3, 4 and 5 **are encouraged to provide an update on identifying gaps, needs and priorities for cooperation and assistance**. This should **include efforts** to implement the Vientiane Action Plan through:

- **identifying and engaging with relevant partners**, including civil society groups, corporations, international organizations and other States **that may be in the position to assist** in addressing these gaps;
- **identifying and engaging with relevant partners**, including civil society groups, corporations, international organizations and other States **for the exchange of information and technical expertise**;
- **promoting technical cooperation, information exchange and good practices** for the benefit of gaining from each other's experience in implementation of the Convention.

States Parties and signatories seeking assistance are also encouraged to provide an update on the measures they are taking to facilitate the provision of international assistance, mobilize national resources and to promote cooperation between States and actors giving and receiving assistance.

States Parties and other delegations in a position to provide assistance are encouraged to respond to the needs and gaps identified by States in the preceding sessions on stockpile destruction, clearance and risk reduction and victim assistance. This should include efforts to implement the Vientiane Action Plan through:

- responding to requests for assistance by States Parties;
- supporting cluster munitions related programming undertaken by civil society actors, United Nations and international organizations including to facilitate for long-term planning and action to address cluster munition contamination and victim assistance in areas where non-state actors operate; and
- informing affected States Parties of resources, capacities and programmes available.

Other delegations are invited to provide views on the implementation of Article 6.



Wednesday 18 April 2012

10:00-13:00

 **Stockpile destruction and retention (chaired by Germany and Croatia)**

In the Vientiane Action Plan, the following commitments were made with reference to the obligation to destroy cluster munition stockpiles:

Action #8 to endeavour to, within one year of entry into force for that State Party, **have a plan in place** for the destruction of stocks that **includes a timeline and budget** and begin physical destruction as soon as possible.

Action #9 to ensure that **problems that may cause obstacles to planned destruction are disclosed** in a timely manner to States Parties and relevant organizations in situations where assistance is required to meet stockpile destruction obligations.

This session will provide States Parties with cluster munition stockpiles to present brief updates on their **destruction** programmes. States Parties are invited to consider addressing specifically the following themes during their interventions:

- **What progress has been achieved** since the Second Meeting of States Parties in Beirut?
- **What is your expected completion date?**

For signatory States, the meeting provides an opportunity to demonstrate their continued commitment to join the Convention as soon as possible and to contribute to the overall implementation of Article 3.

The continued strong participation of signatory States and other States not party in the information exchange on national stockpile destruction programmes is much appreciated. In this regard views and information from states signatories and other States not party to the Convention is also encouraged, especially in relation to challenges identified that would be considered obstacles in the realisation of completion with reference to stockpile destruction obligations and to what extent these challenges may influence ratification and accession decisions. The Coordinators encourage discussion and welcome clarifications of needs for assistance and cooperation that are considered essential in addressing such challenges.

The second part of the session will concentrate on an exchange of information and views regarding retention of cluster munitions and explosive submunitions for the development of and training in cluster munition and explosive submunitions detection, clearance or destruction techniques, or for the development of cluster munition countermeasures, in accordance with Article 3.6 of the Convention.



Wednesday 18 April 2012

15:00-18:00

 **Transparency measures (chaired by Belgium)**

During this session, delegations may wish to give views on the reporting format, transparency reporting guidance, the provision of initial and annual reporting, and the importance of transparency reporting. Specifically, the Vientiane Action Plan calls for the following actions:

Action #51 in striving to actively involve and include relevant international and regional organisations and civil society in the development, implementation, **monitoring and reporting** of efforts to fulfil obligations under this convention and,

Action #58 in fulfilling obligations to **provide initial transparency reports** under Article 7 without delay and where relevant, include information on any retention, acquisition or transfer of cluster munitions or explosive submunitions for the purposes described in paragraphs 6 and 7,

Action #59 in fulfilling obligations to annually update Article 7, and where relevant Article 3, paragraph 8, transparency reports and maximize reporting as a tool to assist and cooperate in implementation, particularly in cases where States Parties must take action to destroy stockpiled cluster munitions, clear cluster munition remnants, assist victims or take legal and other measures referred to in Article 9,

Action #60 to the extent possible, take full advantage of the flexibility of the reporting process, to provide information on matters not specifically required but which may assist in the implementation process and in resource mobilization,

Action #61 in exchanging views and sharing experiences in a cooperative and informal manner on the practical implementation of the various provisions of the Convention and finally **Action #62** in contributing to the development of the reporting format and, when relevant, of synergies with reports existing in other disarmament or humanitarian conventions.



 **National implementation measures (chaired by New Zealand)**

During this session, States Parties are encouraged to provide an update on the specific implementation measures they have taken under Article 9 of the Convention. In particular, States Parties are invited to share their experiences with national legislation and other measures in place to give effect to the full range of prohibitions and positive obligations in the Convention. In particular the Vientiane Action Plans calls on States Parties that have not adopted national implementation measures to:

Action #63 as a matter of urgency develop and adopt comprehensive legislative, administrative or other implementing measures, as appropriate, in accordance with Article 9 in order to implement all obligations under the Convention, and on all States Parties to

Action #64 share information on the content and application of implementing measures through reports made in accordance with Article 7 and at formal and informal meetings of the Convention. In instances when assistance is required to develop implementing measures, States will make their needs known to States Parties, the ICRC or other relevant actors, and **Action #65** to provide clear directives to all relevant state agencies about the prohibitions and requirements of the Convention.

All other delegations with an interest on national implementation measures are also invited to present views here.

Thursday 19 April 2012

10:00-13:00

 **Compliance**

States Parties are invited to provide views with regards to compliance issues with reference to the Convention and the **Action #66** of the Vientiane Action Plan that urges all States Parties to respond in a robust manner to any allegations of non-compliance, including through bilateral discussions, the use of the good offices of the President, and any other means consistent with Article 8, paragraph 1.

 **Wrap-up Session**

This session aims to sum up the thematic sessions and other consultations undertaken during the Intersessional Meetings.

 **Preparations for the 3MSP**

The President-designate will provide a presentation on matters pertaining to the planning and organization of the Third Meeting of States Parties.



Thursday 19 April 2012

15:00-18:00

 **Any other business**

The President will report on any other implementation measures. Delegations may use this opportunity to present views on other implementation measures not covered in previous sessions.

 **Meeting ends**

The President will close the Intersessional Meeting presenting some concluding remarks looking ahead to the work of States Parties and other delegations in preparation for the Third Meeting of States Parties in Oslo.

